

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Civil File No. 07-CV-144 PAM/JSM

MIKE GAVANDA and GARY LARSON, as Trustees of the Painters and Allied Trades District Council No. 82 Health Care Fund; JOHN BOSQUEZ and GARY LARSON, as Trustees of the Minneapolis Local 386 Drywall Finishing Industry Pension Fund, Minneapolis Painting Industry Pension Fund, Minneapolis Painting Industry Vacation and Holiday Fund; MICHAEL GAVANDA and JAMES SMALLEN, as Trustees of the Minnesota Finishing Trades Training Fund; and each of their successors,

JEFF JEWETT and JOHN NAKASONE, as Trustees of the St. Paul Painting Industry Pension Fund, St. Paul Painting Industry Vacation Fund; and each of their successors,

Plaintiffs,

vs.

ORDER FOR MONEY JUDGMENT

THE PAINT SAINT.
and EUGENE DIX, individually,

Defendants.

This matter was originally heard before the undersigned on the 18th day of July, 2007, upon motion by the Plaintiffs for Default Judgment. Amanda R. Cefalu of McGrann Shea Anderson Carnival Straughn & Lamb, Chartered, appeared for and on behalf of the Plaintiffs. There was no appearance on behalf of the Defendants.

On July 20, 2007, the Court entered Default Judgment, and ordered Defendants to submit the fringe fund report forms for the months of January, 2005 through September, 2005, and to pay the fringe benefit contributions disclosed to be due. The

Order further provided that when the Defendants submitted reports, if they failed to pay the fringe benefit contributions due and attorneys fees, Plaintiffs were entitled to file a motion for judgment, supported by an affidavit setting forth the amounts due, and judgment was to be entered ten days after service of the motion, without an additional hearing.

This matter is now before the Court upon motion by the Plaintiffs for a money judgment. Defendants have been provided ten days notice of this motion. Although there are no contributions due and owing, because they have been paid, attorney's fees and costs incurred in this action have not been paid by Defendants.

Plaintiffs have submitted an affidavit of counsel identifying the attorney fees and costs incurred. Therefore,

IT IS HEREBY ORDERED:

1. That in accordance with all of the previous filings and this Court's Order dated July 20, 2007; Plaintiffs shall have judgment, joint and several, against Defendants The Paint Saint and Eugene Dix in the amount of \$5,376.00.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 13, 2008

BY THE COURT

s/Paul A. Magnuson
The Honorable Paul A. Magnuson
United States District Court Judge